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PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER

AMENDMENT OF INSTRUCTIONS TO DIPLOMATIC OFFICERS AND OF CONSULAR REGULATIONS

By virtue of and pursuant to the authority vested in me by section 1752 of the Revised Statutes (22 U. S. C. § 132), it is ordered that the Instructions to Diplomatic Officers and the Consular Regulations be, and they are hereby, amended as follows:

Instructions to Diplomatic Officers

1. Section 4 of chapter III of the Instructions to Diplomatic Officers is amended by inserting the following paragraph between the paragraph entitled "Salary increases within classes" and that entitled "Additional compensation":

*"Appointment or promotion during recess of Senate.—*Foreign Service officers appointed or promoted during a recess of the Senate shall be paid the compensation of the position to which appointed or promoted from the date of such appointment or promotion until the end of the next session of the Senate, if they have not theretofore been confirmed by the Senate, or until their rejection by the Senate before the end of its next session. If the Senate should reject or fail to confirm the promotion of a Foreign Service officer during the session following the date of such promotion, the Foreign Service officer shall automatically be reinstated in the position from which he was promoted, such reinstatement to be effective, in the event of the rejection of the nomination, from the date of rejection; and in the event of failure of the Senate to act on the nomination during the session following the promotion, from the termination of that session. (49 Stat. 436.)"

2. The last sentence of section 6 of chapter IV of the Instructions to Diplomatic Officers is amended to read:

"He shall stand at salute, facing the ship, during the firing of the gun salute."

3. Section 1 of chapter XVII of the Instructions to Diplomatic Officers is amended to read:

"XVII-1. Office supplies

"In general, office supplies should be obtained only from the Department, although in emergencies diplomatic officers are permitted to make purchases locally.

"Requisitions for supplies should be made on the Department's printed form and should describe the articles called for by schedule number, as well as by name, and the quantities desired should be stated in figures, as prescribed by the schedule, and in the order indicated therein. The quantity of supplies on hand in the office at the time requisition is made should always be stated in the column and on the form provided for the purpose. If less than

an original package is desired the quantity should be stated in fractions thereof.

"Requisitions should be carefully drawn with due regard to economy, and should cover so far as possible a supply for one year.

"Articles not mentioned on the schedule which may be considered necessary should be added at the end of the requisition."

Consular Regulations

4. Sections 48, 49, and 50 of the Consular Regulations are revoked and new sections 48, 49, and 50 are prescribed as follows:

*"48. Exequatur.—*Upon the assignment of a Foreign Service officer as a consul general, consul, or vice consul, or upon the assignment of a clerical vice consul, his assignment commission or commission to a post is forwarded to the American diplomatic representative accredited to the government within whose jurisdiction the office is situated. At the same time the diplomatic representative is instructed to comply with the procedure which is customary in the particular country with respect to obtaining official recognition. Certain governments prefer to be merely notified of the assignment when the officer assigned is not in charge of a consular office. The officer's commission, together with the exequatur, if one is issued, is forwarded to the officer at the post where he is assigned.

*"49. Procuring exequatur when no diplomatic representative.—*If there is no diplomatic representative of the United States stationed in the country, the commission of the consular officer may be sent in accordance with some prearranged plan to a diplomatic representative of the United States or a consular officer of the United States in another country with instructions to apply to the proper authorities for an exequatur.

*"50. Entry upon duties without exequatur.—*An officer shall, when so directed by the Department of State, enter upon the discharge of his duties without an exequatur on receiving permission from the proper authorities to act in his official capacity."

5. Sections 51 to 54, inclusive, are revoked.

6. Section 56 is amended to read:

*"56. Notice of arrival at post.—*After the arrival of an officer at his post, he will inform the mission of the United States, if there is one accredited to the government of the country in which the consular office is situated. An officer within the jurisdiction of a consulate general will give similar information to that office."

7. Sections 109, 110, and 111 are revoked and new sections 109 and 110 prescribed as follows:

*"109. Classification of visits of American naval vessels to foreign ports.—*The term 'visits of courtesy' is used to designate visits of a more or less formal nature of naval vessels to ports in foreign countries in which there is an

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exchange of official entertainment. 'Informal visits' are those in which formalities are restricted to the usual salutes and customary calls, with no official entertainment by the government concerned. Unless specifically designated as visits of courtesy, all visits of United States naval vessels are to be regarded as informal visits.

"110. *Official calls between naval officers and consular officers.*—If the commanding officer of a naval vessel of the United States which visits a foreign port where there is a consular officer is a flag officer or commodore, he receives the first visit from the consular officer regardless of the latter's rank; and if the commanding officer is of the rank of captain, he makes the first visit to a consul general and receives the first visit from other consular

officers. A commanding officer below the rank of captain makes the first visit to a consul general or to a consular officer in charge of a consulate.

"When the consular officer is to make the first visit, the commanding officer sends a boat ashore with an officer on board to call on the consular officer and tender him a passage to the ship at such time as he may select. It is the duty of the consular officer to accept the invitation to visit the commander within 24 hours, and to tender to him his official services.

"When the commanding officer makes the first visit to a consular officer, it is the duty of the consular officer to return the visit within 24 hours."

8. Section 110A is renumbered 111.

9. The last sentence of section 182 is amended to read as follows:

"Vessels which are wholly owned by citizens of the United States but not regularly documented under the laws of the United States are not exempt from the payment of fees for services rendered by American consular officers."

10. The last three paragraphs of section 243 are revoked and new paragraphs prescribed as follows:

"(a) *General.*—Whenever a seaman is discharged by a consular officer, the master shall provide such seaman so discharged with employment on a vessel agreed to by the seaman, or shall provide him with one month's extra wages, if it shall be shown to the satisfaction of the consular officer that such seaman was not discharged on account of neglect of duty, incompetency, voluntary consent, or injury incurred on the vessel. (46 U. S. C. § 683.)

"(b) *Voyage contrary to agreement, vessel unseaworthy or badly provisioned, or cruel treatment.*—Whenever on the discharge of a seaman in a foreign country by a consular officer on his complaint that the voyage is continued contrary to agreement, or that the vessel is badly provisioned or unseaworthy, or against the officers for cruel treatment, and after proper inquiry into the matter the consular officer has satisfied himself of the truth and justice of such complaint, he shall require the master to pay such seaman one month's wages over and above the wages due at the time of discharge, and to provide him with adequate employment on board some other vessel, or to provide him with passage on some other vessel bound to the port from which the seaman was originally shipped, or to the most convenient port of entry in the United States, or to a port agreed to by the seaman. (46 U. S. C. § 685.)

"(c) *Vessels sent to sea unsuitably provided.*—When the report of inspectors appointed by the consular officer to make an examination as to whether a vessel is in a suitable condition to go to sea, contains the statement that in their opinion the vessel was sent to sea unsuitably provided in any important or essential particular, by neglect or design, and the consular officer approves of such finding, he shall discharge such of the seamen as request to be discharged, and shall require the payment by the master of one month's wages for each seaman over and above the wages then due, or sufficient money for the return of such of the crew as desire to be discharged to the nearest and most convenient port of the United States, or by furnishing the seamen who so desire to be discharged with employment on a ship agreed to by them. But if in the opinion of the inspectors the defects or deficiencies found to exist have been the result of mistake or accident, and could not, in the exercise of ordinary care, have been known and provided against before the sailing of the vessel, and the master shall in a reasonable time remove or remedy the causes of complaint, then the crew shall remain and discharge their duty. This section does not apply to fishing or whaling vessels or yachts. (46 U. S. C. § 658.)

"(d) *Improper discharge within a month.*—See section 232 (46 U. S. C. § 594).

"(e) With regard to the extra wages of seaman shipped 'by the lay', see section 244, and of seamen shipped on undocumented vessels, section 245."

11. Sections 244 to 248, inclusive, are amended to read:

"244. *Shipment 'by the lay'.*—When seamen have been shipped on board American vessels without the rate of their wages being specified on the shipping articles, as on board certain fishing or whaling vessels where they are shipped 'by the lay', upon their discharge at a foreign port under circumstances entitling them to extra wages, such wages shall be paid at the usual rate at the time and port of shipment for the voyage. (See also section 268.)

"245. *Undocumented vessels.*—Persons having the status of American seamen when shipped on undocumented American or foreign-built vessels which are wholly owned by citizens of the United States, are to be regarded in the same light, as regards the collection of extra wages, as seamen on regularly documented vessels. Consular officers will not, however, exact extra wages when such vessels are sold abroad. (See section 252, 46 U. S. C. § 684.)

"246. *Restrictions in seamen's contracts.*—A master of a vessel is forbidden to make a contract with a seaman which provides for the waiver or remission of the extra wages upon his discharge at a foreign port in cases in which he would be otherwise entitled to such wages. In all engagements of seamen the statutes of the United States regarding such wages must be deemed and taken to be a part of the seaman's contract. (46 U. S. C. § 600.)

"247. *No waiver or remission of extra wages is legal.*—Although ordinarily any person may waive a benefit to which he is entitled by law, he cannot by such waiver affect the rights of third persons or contravene the policy of a statute. Extra wages are allowed to a seaman to prevent him from becoming a public charge and to provide a means for his relief and for his return home. A seaman cannot, therefore, by his own act defeat the public policy upon which the statutes are based. As section 246 specifically provides that a seaman cannot expressly waive his right to extra wages in the shipping contract, consular officers are instructed to exact such wages in all cases where the law requires them to be paid, without any remission or deduction of the indebtedness of the seaman to the vessel, especially as the statute (46 U. S. C. § 683) makes consular officers accountable to the United States for the full amount if they neglect to require payment.

"248. *Foreign seamen.*—A seaman who is a foreigner and who is shipped in a foreign port and discharged in a foreign port is not entitled to extra wages upon discharge. (Fed. Case No. 16002.)"

12. Section 260, subdivision (1) is amended to read:

"(1) Merchant seamen who are citizens of the United States and who, at the time of applying for relief, are by habit and intent bona fide members of the American merchant marine, although their last service may not have been in an American vessel."

13. Section 270 is hereby amended to read:

"270. *Express authorization essential prior to relief of naval seamen.*—Seamen of the naval vessels of the United States left under the care of consular officers in consequence of sickness, injuries, or other causes, are not entitled to the relief provided by law for seamen of the merchant service; and a consular officer should not incur expenses in their behalf unless expressly requested or authorized to do so by a commanding officer. Such relief should be extended when the naval officer furnishes adequate funds at the time to meet necessary expenses or gives such written authorization as will secure to the consular officer reimbursement from the Navy Department for outlays made."

14. Sections 321 to 331, inclusive, are revoked and new sections prescribed as follows:

"321. *Protection of wrecks and stranded vessels.*—Consular officers, in cases where vessels of the United States are stranded on the coast in their consular districts, respectively, are required, so far as the laws of the country permit, to take proper measures as well for saving such vessels, their cargoes and appurtenances, as for storing and securing the effects and merchandise saved, and for taking inventories thereof; and the merchandise and effects saved, with the inventories, must, after deducting therefrom the expenses, be delivered to the owner or owners. No consular officer is permitted to take possession of any such goods, wares, merchandise, or other property when the master, owner, or consignee thereof is present or capable of taking possession. (46 U. S. C. § 721.)

"If in such a case salvage is claimed and is allowed by a competent tribunal, the consular officer may receive the remainder of the effects or the proceeds thereof if the tribunal shall permit them to be delivered to him. A full report with recommendations as to the disposition of the effects or proceeds should be submitted to the Department of State which will give necessary directions as to their disposition. No consular fees are chargeable for such services.

"322. *Disposition of wrecks and their cargoes brought into consular district.*—All vessels, parts of vessels, and any portion of their cargoes, belonging to citizens of the United States, saved and brought into the consular jurisdiction after being wrecked, or in consequence of any disaster at sea, are to be proceeded with in the same manner as if the vessel had stranded within the consular jurisdiction.

"323. *Laws and regulations of foreign countries concerning wrecked property.*—A consular officer at a seaport should ascertain the provisions of local laws or regulations with regard to property wrecked within his jurisdiction and should observe them. A consular officer should not interfere with the legal function of the proper magistrate or officer, but he may request permission as the consular representative of the absent master or owner, or, if the master or owner is present, as an official adviser, to assist at the taking of the inventory, and at the sale, and in all other proceedings in relation to the property. It is the duty of the consular officer to protect the interests of the American owner, and if his reasonable requests are not complied with, to take the necessary evidence of the facts in the case and transmit it to the Department of State. This section does not authorize or contemplate the surrender of any rights established by treaty. The provisions of section 337 concerning such rights should be followed.

"324. *Wrecks to be reported.*—When any American vessel is wrecked or lost within his jurisdiction, the consular officer should submit a report by telegraph to the Department of State stating briefly the name of the vessel, its owner and home port, the voyage on which it was bound, and the circumstances attending the disaster. This telegraphic report should also contain information concerning the safety of the passengers and crew, as required by section 458 of these regulations, and should be followed promptly by a full report by mail giving details. The report by mail should state whether the papers of the vessel have been saved. If there is an agent of the American underwriters in his jurisdiction the consular officer shall cooperate with him. (Sec. 336.)

"325. *Disposition of unclaimed property.*—So far as may be permitted by treaty, the laws of the country or established usage, or in the absence of any legal impediment, any effects, whether wrecked, abandoned, or otherwise unclaimed, belonging to a citizen of the United States and found within the jurisdiction of the consular officer are to be handled in accordance with the directions given in Article XXIII for the disposition of personal estates of deceased citizens.

"326. *Proceedings may be instituted.*—A consular officer may file a claim in admiralty proceedings for the recovery of property in behalf of American citizens when he has reasonable grounds to believe that the shipwrecked vessel or its cargo is American-owned. Before taking such action a telegraphic report should be made to the Department with a statement as to whether any expenditures will be involved in filing the claim or in its disallowance, and specific authority for filing the claim obtained. As restitution cannot be decreed without specific proof of the proprietary interest, immediate steps should be taken to obtain such evidence. (10 Wheaton 67; Fed. Case No. 8474.)

"327. *Report of rescue of American seamen or citizens.*—Whenever a consular officer shall receive authentic information that the master or crew of any vessel, American or foreign, has rescued seamen or citizens of the United States from shipwreck or other catastrophe at sea, he shall without delay transmit to the Department of State a full statement of the facts, including the name, flag, and home port of the rescuing vessel, and the name and address of its owner. The report should state the names of the passengers or crew who have died or are unaccounted for, and the names of the survivors and what action has been taken concerning them. (Secs. 324, 329, 458.) The consular officer should include in his report the names and addresses of officers or members of the crew of the rescuing vessel who have especially distinguished themselves and should give full and precise details regarding the rescue and their part in it so that the hazard incurred and the degree of merit shown may be evaluated.

"328. *Rewards to masters or crews of foreign vessels.*—Provision is made in the annual appropriation act of the Department of State for expenses incurred in the acknowledgment of the services of masters and crews of foreign vessels in rescuing American seamen or citizens from shipwreck or other catastrophe at sea. Such acknowledgments usually are made in the name of the President by the Department of State upon recommendations contained in the report (sec. 327) of the consular officer.

"However, if in the judgment of the consular officer after investigating the facts and circumstances of the rescue, the master and rescuing boat's crew of the foreign vessel, or any of them, are deserving of immediate reward, he is authorized to pay to such master and members of the crew, or any of them, without previous reference of the matter to the Department of State, a sum of money ranging from \$5 to \$25, according to the rank and merit of the recipient, and to include such payment in his monthly accounts supported by appropriate vouchers. (Form No. 170.) The consular officer should inform the Department immediately of his action in making such payments and copies of his reports transmitted in compliance with section 327 should accompany the accounts.

"In making the recommendations and rewards for saving of life, it is expected that consular officers will exercise due diligence and sound discretion. Humane action is deemed deserving of recognition as well as heroic action (although in a less degree), and sacrifice of business interests as well as disregard of personal peril. Volunteer efforts should be rated higher than compulsory action under the orders of a superior.

"329. *Assistance to Americans from wrecked or lost vessels.*—Consular officers will promptly render such assistance as may be in their power to their countrymen from wrecked or lost vessels, and institute whenever it is practicable energetic proceedings for the protection of their property, and, if necessary, will apply to local authorities for assistance; but they may not incur any expense therefor in the expectation that it will be defrayed by the Department of State. The appropriation for the relief and protection of American seamen in foreign countries is not available for any purpose except the relief of persons who are actually 'seamen'. However, in making the telegraphic

reports required by sections 324 and 458, consular officers may indicate the nature and estimated cost of the emergency relief required under the special circumstances of serious cases, stating the name and address of any person or organization to which this information should be communicated for the benefit of distressed persons.

"330. *Papers to be preserved.*—In case a vessel registered under the laws of the United States is lost or taken by an enemy, burned, or broken up, or otherwise prevented from returning to the port to which it may belong, the certificate, if preserved, shall be delivered up within eight days after the arrival of the master or person having the charge or command of such vessel within any district of the United States, to the collector of such district. (46 U. S. C. § 23.)

"The master or person having charge or command of the vessel is primarily responsible for the care and surrender, where necessary, of the ship's papers. However, consular officers are responsible for aiding in the collection and preservation of papers and documents relating to the passengers or to the vessel or its cargo, and for the delivery thereof to the proper persons or to their representatives, or in the event of death or nonappearance of such persons, for transmission to the Department of State.

"Whenever the ship's papers or any part of them have been delivered to or otherwise come into the possession of a consular officer in circumstances not requiring their return to the vessel or its officers, a receipt therefor should be given the master and the documents sent to the Department of State for transmission to the Department of Commerce as soon as they are no longer required by the consular officer for the performance of consular functions.

"331. *Sale of wreck.*—A certificate of registry shall be solely used by the vessel for which it is granted, and shall not be sold, lent, or otherwise disposed of, to any person whomsoever; and if any foreigner or any person for the use and benefit of such foreigner, shall purchase or otherwise become entitled to the whole or any part or share of, or interest in a wrecked vessel registered under the laws of the United States when such vessel shall be at any foreign port or place, or at sea, then the master or person having the charge or command thereof shall, within eight days after his arrival within any district of the United States deliver up the certificate to the collector of such district. (46 U. S. C. § 23.)

"If the purchaser is a citizen of the United States the whole register should be delivered to the new master or to the person having the charge or command of such vessel and a new register obtained therefor, pursuant to section 35, title 46, Code of Laws of the United States."

15. Section 385 is amended by the addition of a new paragraph as follows:

"(f) The General Accounting Office shall act as conservator of such part of these estates as may be received at the Treasury, and for their protection the Secretary of the Treasury may order such effects to be sold as may consist of jewelry or other articles which have heretofore or may hereafter be received at the Treasury, and pay the expenses of such sale out of the proceeds, provided application for these effects shall not have been made by the legal claimant within two years after their receipt. The General Accounting Office is authorized to indorse all bills of exchange, promissory notes, and other evidences of indebtedness due to such estates, and to take such steps as may be necessary for their collection. The proceeds of such sales, together with such other moneys as may be collected by it, shall be deposited into the Treasury in trust for the legal claimant, and be reported to the Secretary of State. (22 U. S. C. § 75.)"

16. Section 390 is amended by the deletion of the last sentence thereof.

17. Section 395 is amended to read:

"395. *What inventory includes.*—The inventory should cover all the personal effects of the decedent that have come into the consular officer's hands, including account

books, personal letters, all evidences of debt whether due or payable in the country of his decease or elsewhere, letters of credit, and other things which may or may not be assets in the consular officer's hands for the payment of debts. Nothing, on the other hand, should be included in the inventory which is not in the consular officer's possession. The correspondence files and record books of the deceased are to be listed on the inventory and carefully described, the number of pages in each book being mentioned; and the consular officer will place a certificate, signed by himself at the beginning and at the end of each record book, in such a manner as to prevent any addition being made thereto."

18. Section 398 is amended to read:

"398. *Collection of debts.*—In collecting debts due the decedent, the consular officer should collect those due from persons or concerns only in the country in which the decedent died. If necessary, he may request the assistance of other consular officers in making such collections. Debts so collected should, of course, be regarded as a part of the decedent's estate."

19. Section 399 is amended to read:

"399. *Payment of debts.*—The decedent's debts should be paid out of the cash resources of the estate in the consular officer's hands, namely: the money among the effects, the proceeds of the sale of perishable property, and the money paid by the decedent's debtors only in the country where the decedent died. If these funds are insufficient, the consular officer may sell at auction, after proper advertisement, as much of the remaining personal property as may be required to meet the demands, taking care to sell first the articles which are most marketable and at the same time least likely to be desired by the family of the deceased for preservation.

"A claim for damages for a wrongful act of the decedent is not a debt which the consular officer may pay unless it has been reduced to judgment. (18 Pick. 36.)"

20. Section 401 is amended to read:

"401. *Remission of residue of estate.*—One year after the death of the decedent or as soon thereafter as possible, the consular officer is required to convert into money the residue of the estate left after paying the local debts and to send such money to the Department of State for transmission through the General Accounting Office to the Treasury of the United States to be held in trust for the legal representative. The articles mentioned in the preceding section and remaining unsold should be sent along with the unused assets, to be delivered to the legal representative of the deceased. (Sec. 385*d*.)"

21. Section 402 is amended to read:

"402. *Delivery to legal representative.*—If at any time before transmission of the residue of the estate to the Department of State for delivery to the General Accounting Office, the legal representative of the deceased demands the effects in the hands of the consular officer, the latter shall deliver them up, the prescribed fees being paid, and shall cease his proceedings. The consular officer is required to be at all times ready to deliver the effects and papers of a deceased citizen of the United States to the person who presents satisfactory evidence of his legal right to receive them as representative of the deceased owner."

22. Sections 404, 405, and 406 are amended to read, respectively:

"404. *Account of receipts and expenditures.*—The consular officer is required to keep a regular account between himself and the estate of the deceased, in which he shall enter to his own debit all the moneys and effects that come into his hands, and to his credit all the payments he makes, and, finally, the remainder that he may deliver over to the legal representative or remit to the Department of

State for delivery to the General Accounting Office so as to close the account. A copy of this account shall be delivered to the representative of the deceased and two copies transmitted to the Department.

"405. *Final settlement and account.*—As soon as an estate shall be finally settled so far as the consular officer is concerned, he shall give notice thereof to the Department of State, transmitting at the same time an itemized statement of the receipts and expenditures on account of the estate, and showing the amount in money or the effects which have been delivered to the representative of the deceased or are to be sent to the General Accounting Office, as the case may be.

"406. *Outgoing officer to close account of effects.*—In case of transfer of office, the effects of deceased citizens which have been in the consular officer's hands more than one year and which should have been remitted, shall be remitted and accounted for by the outgoing officer, and not turned over to his successor. (Sec. 68.)"

23. Section 410 is amended to read:

"410. *Fees for taking into possession and settling estates.*—A consular officer shall collect the appropriate fee (fee no. 12 of the Tariff of United States Consular Fees) for every personal estate of a deceased American (except an American seaman) coming into his possession, and shall account for the fee in his monthly return of fees next following the collection. This fee shall in all cases have priority over other obligations of the estate, and a consular officer who waives collection of the fee shall be liable to the Government for the amount thereof.

24. Section 452 is amended to read:

"452. *Uniforms forbidden.*—No person in the diplomatic service of the United States shall wear any uniform or official costume not previously authorized by Congress. (22 U. S. C. § 39.) Consular officers are not authorized by law to wear any uniform, and the prohibition imposed by statute on diplomatic officers is extended to consular officers."

25. Section 457A is prescribed as follows:

"457A. Consular officers are expected to protect in every way possible the interests of American citizens, but they are not expected to accept private property (other than estates of deceased Americans) for storage, safekeeping, or transmission, as they do not have facilities for storing and safeguarding such property and can assume no responsibility therefor. In any emergency in which an officer in his discretion considers it advisable to accede to a request that he accept private property, the owner should be required to sign a statement to the effect that the property is deposited at his own request, at his own risk, and without any responsibility therefor on the part of the Government of the United States or its officers."

26. The Tariff of United States Consular Fees prescribed by section 533 of the Consular Regulations is amended as follows:

(a) The first sentence of the second paragraph is amended to read:

"The fees in this tariff are not prescribed for vessels registered, enrolled, licensed, or provisionally registered under the laws of the United States, or for American seamen, because they are exempted by law from the payment of consular fees (22 U. S. C. § 89)."

(b) Item 14 of the tariff is amended to read:

"14. Bill of health, in duplicate (or in triplicate, if necessary) ----- \$5.00."

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,

January 29, 1937.

[No. 7543]

[F. R. Doc. 37-321; Filed, January 30, 1937; 11:01 a. m.]

EXECUTIVE ORDER

WITHDRAWAL OF LAND FOR FOREST ADMINISTRATIVE SITE

New Mexico

By virtue of and pursuant to the authority vested in me by the act of June 25, 1910, ch. 421, 36 Stat. 847, as amended by the act of August 24, 1912, ch. 369, 37 Stat. 497, it is ordered as follows:

SECTION 1. Executive Order No. 6910 of November 26, 1934, as amended, temporarily withdrawing all public lands in certain states for classification and other purposes, is hereby revoked as to the following-described public lands in New Mexico:

NEW MEXICO PRINCIPAL MERIDIAN

- T. 20 N., R. 8 E., sec. 12, S $\frac{1}{2}$ of N $\frac{1}{2}$ and S $\frac{1}{2}$ lot 1, N $\frac{1}{2}$ and N $\frac{1}{2}$ of S $\frac{1}{2}$ lot 2;
T. 20 N., R. 9 E., sec. 7, lots 5 and 6 and E $\frac{1}{2}$ SW $\frac{1}{4}$: aggregating 228.42 acres.

SECTION 2. Subject to valid existing rights, the public lands described in section 1 of this order are hereby temporarily withdrawn from settlement, location, sale or entry, and reserved for use by the Forest Service of the Department of Agriculture as the Espanola administrative site in connection with the administration of the Santa Fe National Forest.

SECTION 3. The withdrawal made by section 2 of this order shall remain in force until revoked by the President or by act of Congress.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
January 29, 1937.

[No. 7544]

[F. R. Doc. 37-320; Filed, January 30, 1937; 11:01 a. m.]

TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 48784]

CUSTOMS REGULATIONS AMENDED—WAREHOUSE AND REWAREHOUSE WITHDRAWALS FOR TRANSPORTATION

CUSTOMS REGULATIONS OF 1931, AS AMENDED BY T. D. 48505, RELATING TO THE FORM OF ENTRY, FURTHER AMENDED

To Collectors of Customs and Others Concerned:

Pursuant to the authority contained in sections 557 and 624 of the Tariff Act of 1930 (U. S. C., title 19, secs. 1557 and 1624), article 896 of the Customs Regulations of 1931, as amended by T. D. 48505,¹ is further amended as follows:

Paragraph (b) is deleted, and paragraph (c) is redesignated paragraph (b).

[SEAL]

JAMES H. MOYLE,
Commissioner of Customs.

Approved, January 23, 1937.

JOSEPHINE ROCHE,
Acting Secretary of the Treasury.

[F. R. Doc. 37-322; Filed, January 30, 1937; 11:52 a. m.]

[T. D. 48785]

CUSTOMS REGULATIONS AMENDED—TEMPORARY FREE IMPORTATION—MAIL AND OTHER INFORMAL ENTRIES

CUSTOMS REGULATIONS OF 1931, AS AMENDED BY T. D. 48508, RELATING TO TEMPORARY FREE ENTRY UNDER BOND, FURTHER AMENDED

To Collectors of Customs and Others Concerned:

Pursuant to the authority contained in section 251, Revised Statutes (U. S. C., title 19, sec. 66), paragraphs 1607,

1747, 1808, and 1809 of the Tariff Act of 1930 (U. S. C., title 19, sec. 1201, pars. 1607, 1747, 1808, and 1809) and sections 308 (U. S. C., title 19, sec. 1308), 498 (a) (1) (U. S. C., title 19, sec. 1498 (a) (1)), and 624 (U. S. C., title 19, sec. 1624) of the Tariff Act of 1930, article 428 (a) of the Customs Regulations of 1931, as amended by T. D. 48508,¹ is further amended by changing the period at the end of the first sentence to a comma and adding the following:

except that when the merchandise does not exceed \$100 in value the forms provided for the informal entry of importations received through the mails, in passengers' baggage and from other sources, may be used in proper cases. (See art. 339 (c).)

[SEAL]

JAMES H. MOYLE,
Commissioner of Customs.

Approved, January 23, 1937.

JOSEPHINE ROCHE,
Acting Secretary of the Treasury.

[F. R. Doc. 37-323; Filed, January 30, 1937; 11:52 a. m.]

[T. D. 48785]

CUSTOMS REGULATIONS AMENDED—TRANSFERS OF RIGHT TO WITHDRAW MERCHANDISE IN BONDED WAREHOUSES

CUSTOMS REGULATIONS OF 1931 AMENDED TO ELIMINATE THE CONCURRENCE OF THE SURETY ON THE WAREHOUSE ENTRY BOND AND TO OUTLINE MORE FULLY THE TRANSFER PROCEDURE

To Collectors of Customs and Others Concerned:

Pursuant to the authority contained in section 251, Revised Statutes (U. S. C., title 19, sec. 66), and sections 556 and 624 of the Tariff Act of 1930 (U. S. C., title 19, secs. 1556 and 1624), article 327 of the Customs Regulations is hereby amended as follows:

Paragraph (a) is amended by eliminating the following in lines two and three:

"with the concurrence of the surety on the warehousing bond,"

T. D. 47609 should be added as a marginal reference to paragraph (a).

The following new paragraph, designated (c), is added:

(c) In cases where the transferee does not desire to pay the duties and charges at the time the right to withdraw the merchandise is transferred to him, he may lodge the indorsed withdrawal in the customhouse as evidence of the transfer. A notation thereof shall be made on the customs records. The transferee may thereafter obtain the release of all or part of the merchandise, unless the transfer of the right to withdraw shall have been revoked, by filing proper withdrawals and otherwise complying with the provisions of articles 324 and 326. No indorsement of the person who has previously transferred the right to withdraw the merchandise shall be required on such withdrawals.

These regulations shall be effective as to merchandise imported on or after thirty days from the publication hereof in the weekly Treasury Decisions.

[SEAL]

JAMES H. MOYLE,
Commissioner of Customs.

Approved, January 25, 1937.

WAYNE C. TAYLOR,
Acting Secretary of the Treasury.

[F. R. Doc. 37-325; Filed, February 1, 1937; 10:10 a. m.]

DEPARTMENT OF THE INTERIOR.

Division of Grazing.

WITHDRAWAL OF PROPOSED TAOS GRAZING DISTRICT VACATED
NEW MEXICO

JANUARY 26, 1937.

Under authority of Departmental order of October 15, 1934, pursuant to section 2 of the act of June 28, 1934 (48 Stat. 1269), notice was published on October 18, 1934, that a

¹ 1 F. R. 1487.¹ 1 F. R. 1515.

hearing would be held at Santa Fe, New Mexico, on February 11, 1935, or any subsequent date to which said hearing may be adjourned, for the purpose of considering a proposal for the establishment of a grazing district to include the following described lands:

NEW MEXICO

New Mexico Meridian

- T. 23 N., R. 8 E., Secs. 1 and 12.
 Ts. 23 to 26 N., incl., R. 9 E.
 Ts. 24 to 26 N., incl., R. 10 E.
 T. 27 N., R. 10 E., Secs. 31 to 36, incl.
 Ts. 24 and 25 N., R. 11 E.

The publication of such notice had the effect, in accordance with the provisions of the aforesaid act, of withdrawing all public lands within the exterior boundaries of the proposed district from all forms of entry and settlement.

Hearing in accordance with the above order as published was not had, but at a hearing held at Albuquerque, New Mexico, on January 14, 1935, pursuant to Departmental order of December 1, 1934, giving notice of hearings to be held in several States, including New Mexico, for the purpose of considering the establishment of grazing districts in such States, this proposed district, among others, received consideration. The district has not been organized, however, and information furnished in subsequent reports of representatives of this Department discloses that the public lands within the withdrawn area are not appropriate for administration in a grazing district under the Taylor Grazing Act.

The withdrawal, therefore, is hereby vacated.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 37-324; Filed, February 1, 1937; 10:01 a. m.]

CORRECTION

The title of Federal Register Document 37-192, filed January 21, 1937, 10:20 a. m., appearing on Page 141 of the issue for Friday, January 22, 1937, should read "New Mexico Grazing District No. 4".

General Land Office.

STOCK DRIVEWAY WITHDRAWALS NOS. 156, 209, 214, AND 238,
 OREGON NOS. 14, 26, 30, AND 36, ENLARGED

It appearing that Stock Driveway Withdrawals Nos. 156, 209, 214, and 238, Oregon Nos. 14, 26, 30, and 36, should be enlarged, it is ordered, under and pursuant to the provisions of section seven of the act of June 28, 1934, 48 Stat. 1269, as amended by the act of June 26, 1936, 49 Stat. 1976, and of section ten of the act of December 29, 1916, 39 Stat. 862, as amended by the act of January 29, 1929, 45 Stat. 1144, that the following-described public lands in Oregon, excepting any mineral deposits therein, be, and they are hereby, withdrawn from all disposal under the public-land laws and reserved for use by the general public as additions to such driveway reservations, subject to valid existing rights and as to the tracts affected thereby to existing first form reclamation withdrawals:

WILLAMETTE MERIDIAN

- T. 11 S., R. 25 E.,
 sec. 1, SW $\frac{1}{4}$ NE $\frac{1}{4}$, lot 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 sec. 12, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$;
 sec. 13, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 sec. 23, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 sec. 24, N $\frac{1}{2}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 sec. 25, NW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$;
 sec. 26, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, S $\frac{1}{2}$ SW $\frac{1}{4}$;
 sec. 34, E $\frac{1}{2}$;
 sec. 35;
 T. 12 S., R. 25 E.,
 sec. 1, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$;
 sec. 2, N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
 sec. 3, NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;

- T. 11 S., R. 26 E.,
 sec. 4, lots 1 and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
 sec. 5, E $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$;
 sec. 6, N $\frac{1}{2}$ SE $\frac{1}{4}$;
 sec. 29, S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 sec. 31, E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$;
 sec. 32, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 sec. 34, S $\frac{1}{2}$ S $\frac{1}{2}$;
 sec. 35, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 T. 12 S., R. 26 E.,
 sec. 2, W $\frac{1}{2}$ W $\frac{1}{2}$;
 sec. 3, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$,
 sec. 4, N $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$,
 sec. 5, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$;
 sec. 9, N $\frac{1}{2}$ NW $\frac{1}{4}$;
 sec. 14, W $\frac{1}{2}$ E $\frac{1}{2}$, W $\frac{1}{2}$;
 sec. 22;
 sec. 24, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$;
 sec. 26, W $\frac{1}{2}$ E $\frac{1}{2}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 sec. 30, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 sec. 32, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 sec. 34, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 T. 13 S., R. 26 E.,
 sec. 4;
 sec. 6, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
 sec. 7, N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$;
 sec. 8, N $\frac{1}{2}$ NE $\frac{1}{4}$;
 sec. 9, S $\frac{1}{2}$;
 sec. 10, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 sec. 13, W $\frac{1}{2}$ W $\frac{1}{2}$;
 T. 19 S., R. 31 E.,
 sec. 24, N $\frac{1}{2}$;
 T. 19 S., R. 32 E.,
 sec. 19, lot 1;
 aggregating 13,648.54 acres.

Any mineral deposits in such lands shall be subject to location and entry only in the manner prescribed by the Secretary of the Interior in accordance with the provisions of the aforesaid act of January 29, 1929, and existing regulations.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

JANUARY 19, 1937.

[F. R. Doc. 37-249; Filed, January 26, 1937; 9:46 a. m.]

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

EFFECTIVE DATE OF SUBSECTION (F) OF SECTION 1, REVISED REGULATION Q

Resolved, That the date upon which subsection (f), entitled "Interest", of section 1 of Regulation Q¹ will become effective is deferred until May 1, 1937.

[SEAL]

S. R. CARPENTER,
Assistant Secretary.

[F. R. Doc. 37-326; Filed, February 1, 1937; 11:48 a. m.]

INTERSTATE COMMERCE COMMISSION.

ORDER

ANNUAL REPORTS FROM STEAM RAILWAY COMPANIES, ETC.

At a Session of the Interstate Commerce Commission, Division 4, held at its office in Washington, D. C., on the 27th day of January A. D. 1937.

The subject of the requirement of annual reports from steam railway companies and switching and terminal companies of Class I and Class II being under consideration:

It is ordered, That all steam railway companies and switching and terminal companies of Class I and Class II subject to the Interstate Commerce Act be and they hereby are required to file annual reports for the year ending December 31, 1936, and for each succeeding year until further order, in accordance with Annual Report Form A (Large and Medium Steam Roads and Switching and Ter-

minal Companies), which is hereby approved and made a part of this order.¹

It is further ordered, That the annual report shall be filed, in duplicate, in the Bureau of Statistics, Interstate Commerce Commission, Washington, D. C., on or before March 31, of the year following the one to which it relates.

By the Commission, division 4.

[SEAL]

GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 37-309; Filed, January 29, 1937; 11:53 a. m.]

RURAL ELECTRIFICATION ADMINISTRATION.

[Administrative Order No. 52]

ALLOCATION OF FUNDS FOR LOANS

JANUARY 29, 1937.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for Loans for the project and in the amount as set forth in the following schedule:

Project Designation:	Amount
Virginia 18A Lancaster-----	\$125,000

MORRIS L. COOKE, *Administrator*.

[F. R. Doc. 37-318; Filed, January 29, 1937; 2:57 p. m.]

[Administrative Order No. 53]

ALLOCATION OF FUNDS FOR LOANS

JANUARY 29, 1937.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for Loans for the projects and in the amounts as set forth in the following schedule:

Project Designation:	Amount
Pennsylvania 6 Indiana-----	\$120,000

MORRIS L. COOKE, *Administrator*.

[F. R. Doc. 37-319; Filed, January 29, 1937; 2:57 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 19th day of January A. D. 1937.

[File No. 2-2755]

IN THE MATTER OF OAKMERE CEMETERY ASSOCIATION, INC.

ORDER CONSENTING TO WITHDRAWAL OF REGISTRATION STATEMENT ON REQUEST OF APPLICANT

The Commission, having due regard to the public interest and the protection of investors, upon the request of the registrant received on January 18, 1937, consents to the withdrawal of the registration statement of the above named registrant, and to that effect

It is so ordered.

By direction of the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-327; Filed, February 1, 1937; 12:43 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 19th day of January A. D. 1937.

[File No. 2-2417]

IN THE MATTER OF POLITICS, INC.

ORDER CONSENTING TO WITHDRAWAL OF REGISTRATION STATEMENT ON REQUEST OF APPLICANT

The Commission, having due regard to the public interest and the protection of investors, upon the request of the registrant received on January 15, 1937, consents to the withdrawal of the registration statement of the above named registrant, and to that effect

It is so ordered.

By direction of the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-328; Filed, February 1, 1937; 12:43 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 30th day of January A. D. 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE PHILLIPS ET AL.-HARRELL FARM, FILED ON JANUARY 26, 1937, BY GENERAL INDUSTRIES CORP., LTD., RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

(1) In the confusion of names of the tracts involved. Page 1, Division I, and Item 2 (a), Division II, say the farm name is "Harrell Community". The plat, Exhibit A, delineates the D. Harrell #1, S. Harrell #1 and the Francis #1 wells and the tracts upon which they are located;

(2) In that Item 2 (d), Division II, gives the names of only two operators. Exhibit A also includes the name of Laird;

(3) In that the description of the tract involved as given in the last paragraph of Item 13, Division II, is in conflict with the description in Exhibit B;

(4) In that the figures in Item 16 (d), Division II, for July, August and September 1936 are miscalculated;

(5) In that the offering sheet is not signed by the corporate offeror;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 27th day of February 1937 that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Charles S. Lobingier, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspond-

¹ Filed with the Division of the Federal Register; copies available upon application to the Interstate Commerce Commission.

ence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 12th day of February 1937 at 10:30 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-330; Filed, February 1, 1937; 12:43 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 30th day of January A. D. 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE BRITISH-AMERICAN-HAYES HIGHLAND-RUSSELL FARM, FILED ON JANUARY 25, 1937, BY R. E. PITTS, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that the price being paid for oil, as stated in Item 1 of Division II, is in conflict with the price stated in Item 16 (e) of Division II, and with the price paid for oil of the gravity produced on this tract as reported in Item 18 (b) of Division II;

2. In that the offering sheet purports to describe interests in the Hayes-Highland # 1 and Russell Place # 1 tracts. Exhibit A designates the lease area as the Alta Vista # 2 and Burnham # 2. Exhibit B describes Roanoke Powell and Hayes Highland tracts;

3. In that Item 13 of Division II does not give the present number of producing wells in the field described;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 27th day of February 1937 that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Charles S. Lobingier, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 12th day of February 1937 at 10:00 o'clock in the forenoon at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

No. 21—2

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-329; Filed, February 1, 1937; 12:43 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 29th day of January A. D. 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE MILLS-BENNETT ET AL. BASSINGER FARM, FILED ON JANUARY 22, 1937, BY SUPREME OIL INC., RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

(1) In that the phrase "or disapproved" is omitted from paragraph 2 of Division I.

(2) In that Item 12 (a), Division II, has omitted to state whether taxes are deducted from royalty runs, and if so, how.

(3) In that the rate of tax is incorrectly stated in Item 12 (b), Division II.

(4) In that certain information and statements appear to be improperly included in Item 13, Division II. Such statements as "seven pools of major importance" assure "long flowing life" and "high porosity, uniform saturation and high gravity" of Pettus sand, are not historical facts.

(5) In that a typographical error appears in the year shown in Item 15, Division II. The initial production was in April 1935 according to Item 14, Division II.

(6) In that in Item 16 (c), Division II, the net production figures for the smallest interest offered are miscalculated for the months of May to December 1936, inclusive.

(7) In that in Item 16 (d), Division II, the payoff for the smallest interest offered is miscalculated for the months of January to April 1936, inclusive.

(8) In that the explanation of the answer to Item 18 (a) (1), Division II, is omitted.

(9) In that the required form for corporate signature is omitted at the end of Division II.

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 27th day of February 1937 that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Charles S. Lobingier, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 11th day of February 1937 at

10:30 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-331; Filed, February 1, 1937; 12:44 p. m.]

EXECUTIVE ORDER

REGULATIONS GOVERNING THE PREPARATION, PRESENTATION, FILING, AND DISTRIBUTION OF EXECUTIVE ORDERS AND PROCLAMATIONS

By virtue of and pursuant to the authority vested in me by the Federal Register Act, approved July 26, 1935 (49 Stat. 500), and as President of the United States, I hereby prescribe the following regulations governing the preparation, presentation, filing, and distribution of Executive orders and proclamations:

1. Proposed Executive orders and proclamations shall be prepared in accordance with the following requirements:

(a) A suitable title for the order or proclamation shall be provided.

(b) The authority under which the order or proclamation is promulgated shall be cited in the body thereof.

(c) Punctuation, capitalization, orthography, and other matters of style shall conform to the most recent edition of the Style Manual of the United States Government Printing Office.

(d) The spelling of geographic names shall conform to the most recent official decisions made pursuant to Executive Orders No. 27-A, of September 4, 1890, No. 399, of January 23, 1906, and No. 6680, of April 17, 1934.

(e) Descriptions of tracts of lands shall conform, so far as practicable, with the most recent edition of the Specifications for Descriptions of Tracts of Land for Use in Executive Orders and Proclamations, published by the Federal Board of Surveys and Maps.

(f) Proposed Executive orders and proclamations shall be typewritten on paper approximately 8 by 12½ inches, shall have a left-hand margin of approximately 2 inches and a right-hand margin of approximately 1 inch, and shall be double-spaced, except that quotations, tabulations, or descriptions of land may be single-spaced.

2. The proposed Executive order or proclamation shall first be submitted to the Director of the Bureau of the Budget.

If the Director of the Bureau of the Budget approves it, he shall transmit it to the Attorney General for his consideration as to both form and legality. If the Attorney General approves it, he shall transmit it to the Director of the Division of the Federal Register, the National Archives. If it conforms to the requirements of paragraph 1 hereof, the Director of the Division of the Federal Register shall transmit it and three copies thereof to the President. If it is disapproved by the Director of the Bureau of the Budget or the Attorney General, it shall not thereafter be presented to the President unless it is accompanied by the statement of the reasons for such disapproval.

3. If the order or proclamation is signed by the President, the original and two copies thereof shall be forwarded to the Director of the Division of the Federal Register for appropriate action in conformity with the provisions of the Federal Register Act: *Provided, however*, That the seal of the United States shall be affixed to the originals of all proclamations prior to such forwarding. The Division of the Federal Register shall cause to be placed upon the copies of all Executive orders and proclamations the following notation, to be signed by the Director or by some person authorized by him: "Certified to be a true copy of the original." The Division of the Federal Register shall number and shall supervise the promulgation, publication, and distribution of all Executive orders and proclamations.

4. The Division of the Federal Register shall cause a limited number of copies of the Executive orders and proclamations not required or authorized to be filed and published under the provisions of the Federal Register Act to be made available in slip form to the appropriate agencies of the Government.

5. The Division of the Federal Register shall file in the National Archives the originals of all Executive orders and proclamations.

6. The signed originals and copies of all Executive orders and proclamations heretofore promulgated and now in the custody of the Department of State shall be transferred to the National Archives.

7. Nothing in this order shall be construed to apply to treaties, conventions, protocols, and other international agreements, or proclamations thereof by the President.

8. This order shall become effective on March 12, 1936, and shall thereupon supersede Executive Order No. 6247, of August 10, 1933.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,

February 18, 1936.

[No. 7293]